

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

SCOTT FREI,

Petitioner,

v.

JAIME MILLER,

Respondent.

Case No. 2:22-cv-01818-SI

OPINION AND ORDER

SIMON, District Judge.

On November 21, 2022, Petitioner filed this 28 U.S.C. § 2254 habeas corpus case challenging his 1986 Multnomah County conviction for Murder. He filed this case contemporaneously with *Frei v. Miller*, Case No. 2:22-01817-SI, another 28 U.S.C. § 2254 habeas corpus case in which he challenged the same judgment of conviction. The Court dismissed Case No. 2:22-01817-SI on the basis that the Petition for Writ of Habeas Corpus was untimely. Because this case relies upon the same procedural history as that at issue in Case No. 2:22-cv-01817-SI, the Petition for Writ of Habeas Corpus (#2) in this case is also dismissed, with prejudice, on the basis that it is untimely.

The Court declines to issue a Certificate of Appealability on the basis that Petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

January 10, 2024

DATE



Michael H. Simon
United States District Judge